

ASSEMBLY BILL

No. 1339

Introduced by Assembly Member Keeley

February 23, 2001

An act to amend Section 7588 of, and to add Sections 7583.46, 7583.47, 7583.48, 7583.49, 7583.50, and 7583.51 to, the Business and Professions Code, and to amend Section 832.3 of the Penal Code, relating to school security training, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1339, as introduced, Keeley. School security training: peace officers and security guards.

Existing law requires every security guard working more than 20 hours a week on the property of a public K-12 school district or community college district to complete a course of training, as specified.

This bill would specify the contents of the course of school security training, provide for approval of course materials, and provide standards and procedures for the application for approval for a school security training facility, and for school security training instructors. Applications for certification as a school security course training facility or school security course instructor would be subject to specified application fees. Those application fees would be deposited in the Private Security Services Fund, a continuously appropriated special fund, for the purpose of licensing and regulation of private security services. By increasing the amount of money in the fund through the imposition of additional application fees, this bill would make an appropriation.

Existing law requires any school peace officer employed by a K-12 public school district, or a community college district, to complete a prescribed course of training, as specified.

This bill would, in addition, require a peace officer assigned primarily to a K-12 or community college campus to complete that prescribed course of training, as specified. By placing additional training duties on certain peace officers, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 7583.46 is added to the Business and
- 2 Professions Code, to read:
- 3 7583.46. The course of training in school security, the
- 4 satisfactory completion of which shall be required of applicants
- 5 who wish to obtain a school security qualifications card, shall be
- 6 in the format prescribed by the Department of Consumer Affairs,
- 7 as delineated in the bureau's "School Security Training Manual."
- 8 The course training contained in the manual shall include, but not
- 9 be limited to, the following:
- 10 (a) The role and responsibility of the school security officer.
- 11 (b) Laws and liability.
- 12 (c) Security awareness in the educational environment.
- 13 (d) Mediation and conflict resolution.
- 14 (e) Standardized emergency management and incident
- 15 command systems.
- 16 (f) Dynamics of student behavior.



1 (g) Examination.

2 The course shall contain a total of 24 hours of instruction.

3 SEC. 2. Section 7583.47 is added to the Business and
4 Professions Code, to read:

5 7583.47. For purposes of this article, “school security
6 course” means the school security training course as outlined in
7 Section 7583.45.

8 SEC. 3. Section 7583.48 is added to the Business and
9 Professions Code, to read:

10 7583.48. (a) Any institution, firm, or individual wishing the
11 approval of the bureau to offer the school security course shall
12 complete an application of certification as a school security
13 training facility. The application shall be in a form prescribed by
14 the chief and shall include, but not be limited to, the following
15 information:

16 (1) The name, business address, and telephone number of the
17 institution, firm, or individual.

18 (2) A detailed description of the places, days, and times the
19 course will be offered.

20 (3) An estimate of the minimum and maximum class size.

21 (4) The name or names of the school security training instructors
22 who will teach the course who have been certified by the bureau,
23 and their certificate numbers, if available.

24 (b) The application shall be accompanied by the fee prescribed
25 in this chapter.

26 SEC. 4. Section 7583.49 is added to the Business and
27 Professions Code, to read:

28 7583.49. Upon approval by the bureau of a school security
29 training facility, the chief shall issue to the facility a “School
30 Security Training Facility Certificate.” The certificate is valid
31 only when the school security training facility has in its employ a
32 school security training instructor who has been certified by the
33 bureau. The certificate shall be posted in a conspicuous place at the
34 facility.

35 SEC. 5. Section 7583.50 is added to the Business and
36 Professions Code, to read:

37 7583.50. (a) Any individual who desires certification by the
38 bureau to instruct a school security course shall complete an
39 application for a school security training instructor certificate. An
40 application shall be made on a form provided by the bureau.

(b) An applicant for a school security training instructor certificate shall meet one of the following minimum qualifications:

(1) Possess an associate of arts degree in the administration of justice.

(2) Have one year of teaching or training experience in school security or the equivalent thereof.

(c) The application shall be accompanied by the fee prescribed in this chapter.

(d) Upon approval by the bureau of an applicant for certification as a school security training instructor, the chief shall issue to the applicant a "School Security Training Instructor Certificate." The certificate shall be posted at the training site.

SEC. 6. Section 7583.51 is added to the Business and Professions Code, to read:

7583.51. All school security course material provided to the certificate holder in the "School Security Training Manual" issues by the bureau shall be covered in each class session. Any course textbook or manual developed to be used by a firearms training facility for a course in the carrying and usage of a firearm for school security shall include the aspects of employee restraint and defensive missions of security guards, in addition to following the format delineated in the bureau's "School Security Training Manual" and shall be examined and approved by the bureau prior to use. Once the bureau has approved the textbooks or manuals, all school security training facilities shall be required to instruct in accordance with one of the textbooks or manuals. In no event shall the class instruction total less than 24 hours for the school security qualification.

SEC. 7. Section 7588 of the Business and Professions Code is amended to read:

7588. The fees prescribed by this chapter are as follows:

(a) The application and examination fee for an original license for a private patrol operator may not exceed two hundred dollars (\$200).

(b) The application fee for an original branch office certificate for a private patrol operator may not exceed seventy-five dollars (\$75).

(c) The fee for an original license for a private patrol operator may not exceed five hundred dollars (\$500).

(d) The renewal fee is as follows:

(1) For a license as a private patrol operator, the fee may not exceed five hundred dollars (\$500).

(2) For a combination license as a private investigator under Chapter 11.3 (commencing with Section 7512) and private patrol operator, AC or DC prefix, the fee may not exceed six hundred dollars (\$600).

(3) For a branch office certificate for a combination private investigator under Chapter 11.3 (commencing with Section 7512) and private patrol operator, the fee may not exceed forty dollars (\$40), and for a private patrol operator, the fee may not exceed seventy-five dollars (\$75).

(e) The delinquency fee is 50 percent of the renewal fee in effect on the date of expiration.

(f) A reinstatement fee is equal to the amount of the renewal fee plus the regular delinquency fee.

(g) The fee for reexamination of an applicant or his or her manager may not exceed twenty dollars (\$20).

(h) Registration fees pursuant to this chapter are as follows:

(1) A registration fee for a security guard may not exceed twenty-five dollars (\$25).

(2) A security guard registration renewal fee may not exceed twenty-five dollars (\$25).

(i) Fees to carry out other provisions of this chapter are as follows:

(1) A firearms qualification fee may not exceed eighty dollars (\$80).

(2) A firearms requalification fee may not exceed sixty dollars (\$60).

(3) An initial baton certification fee may not exceed fifty dollars (\$50).

(4) An application fee and renewal fee for certification as a firearms training facility ~~or~~, a baton training facility, *or a school security training facility* may not exceed five hundred dollars (\$500).

(5) An application fee and renewal fee for certification as a firearms training instructor ~~or~~, a baton training instructor, *or a school security training instructor* may not exceed two hundred fifty dollars (\$250).

1 This section shall become operative July 1, 1998.
2 Notwithstanding the operative date of this section, before, on, or
3 after July 1, 1998, the bureau may adopt regulations specifying the
4 fees authorized by this section. If the bureau does not have
5 regulations in effect that delineate the specific fees authorized by
6 this section by July 1, 1998, the schedule of fees in effect as of June
7 30, 1998, shall remain operative until the bureau adopts
8 regulations specifying the fees.

9 SEC. 8. Section 832.3 of the Penal Code is amended to read:

10 832.3. (a) Except as provided in subdivision (e), any sheriff,
11 undersheriff, or deputy sheriff of a county, any police officer of a
12 city, and any police officer of a district authorized by statute to
13 maintain a police department, who is first employed after January
14 1, 1975, shall successfully complete a course of training prescribed
15 by the Commission on Peace Officer Standards and Training
16 before exercising the powers of a peace officer, except while
17 participating as a trainee in a supervised field training program
18 approved by the Commission on Peace Officer Standards and
19 Training. Each police chief, or any other person in charge of a local
20 law enforcement agency, appointed on or after January 1, 1999, as
21 a condition of continued employment, shall complete the course
22 of training pursuant to this subdivision within two years of
23 appointment. The training course for a sheriff, an undersheriff, and
24 a deputy sheriff of a county, and a police chief and a police officer
25 of a city or any other local law enforcement agency, shall be the
26 same.

27 (b) For the purpose of ensuring competent peace officers and
28 standardizing the training required in subdivision (a), the
29 commission shall develop a testing program, including
30 standardized tests that enable (1) comparisons between presenters
31 of the training and (2) assessments of trainee achievement. The
32 trainees' test scores shall be used only for the purposes enumerated
33 in this subdivision and those research purposes as shall be
34 approved in advance by the commission. The commission shall
35 take all steps necessary to maintain the confidentiality of the test
36 scores, test items, scoring keys, and other examination data used
37 in the testing program required by this subdivision. The
38 commission shall determine the minimum passing score for each
39 test and the conditions for retesting students who fail. Passing
40 these tests shall be required for successful completion of the

1 training required in subdivision (a). Presenters approved by the
2 commission to provide the training required in subdivision (a)
3 shall administer the standardized tests or, at the commission's
4 option, shall facilitate the commission's administration of the
5 standardized tests to all trainees.

6 (c) Notwithstanding subdivision (c) of Section 84500 of the
7 Education Code and any regulations adopted pursuant thereto,
8 community colleges may give preference in enrollment to
9 employed law enforcement trainees who shall complete training
10 as prescribed by this section. At least 15 percent of each
11 presentation shall consist of nonlaw enforcement trainees if they
12 are available. Preference should only be given when the trainee
13 could not complete the course within the time required by statute,
14 and only when no other training program is reasonably available.
15 Average daily attendance for these courses shall be reported for
16 state aid.

17 (d) Prior to July 1, 1987, the commission shall make a report
18 to the Legislature on academy proficiency testing scores. This
19 report shall include an evaluation of the correlation between
20 academy proficiency test scores and performance as a peace
21 officer.

22 (e) (1) Any deputy sheriff described in subdivision (c) of
23 Section 830.1 shall be exempt from the training requirements
24 specified in subdivisions (a) and (b) as long as his or her
25 assignments remain custodial related.

26 (2) Deputy sheriffs described in subdivision (c) of Section
27 830.1 shall complete the training for peace officers pursuant to
28 subdivision (a) of Section 832, and within 120 days after the date
29 of employment, shall complete the training required by the Board
30 of Corrections for custodial personnel pursuant to Section 6035,
31 and the training required for custodial personnel of local detention
32 facilities pursuant to Division 1 (commencing with Section 100)
33 of Title 15 of the California Code of Regulations.

34 (3) Deputy sheriffs described in subdivision (c) of Section
35 830.1 shall complete the course of training pursuant to subdivision
36 (a) prior to being reassigned from custodial assignments to duties
37 with responsibility for the prevention and detection of crime and
38 the general enforcement of the criminal laws of this state.

39 (f) Any school police officer first employed by a K-12 public
40 school district or California Community College district after July

1 1, 1999, shall successfully complete a basic course of training as
2 prescribed by subdivision (a) before exercising the powers of a
3 peace officer. A school police officer shall not be subject to this
4 subdivision while participating as a trainee in a supervised field
5 training program approved by the Commission on Peace Officer
6 Standards and Training.

7 (g) The commission shall prepare a specialized course of
8 instruction for the training of school peace officers, as defined in
9 Section 830.32, to meet the unique safety needs of a school
10 environment. This course is intended to supplement any other
11 training requirements.

12 (h) Any school peace officer first employed by a K-12 public
13 school district or California Community College district before
14 July 1, 1999, shall successfully complete the specialized course of
15 training prescribed in subdivision (g) no later than July 1, 2002.
16 Any school police officer first employed by a K-12 public school
17 district or California Community College district after July 1,
18 1999, *or any peace officer assigned primarily to a K-12 or*
19 *community college campus, after January 1, 2002,* shall
20 successfully complete the specialized course of training
21 prescribed in subdivision (g) within two years of the date of first
22 employment *or assignment*.

23 SEC. 9. Notwithstanding Section 17610 of the Government
24 Code, if the Commission on State Mandates determines that this
25 act contains costs mandated by the state, reimbursement to local
26 agencies and school districts for those costs shall be made pursuant
27 to Part 7 (commencing with Section 17500) of Division 4 of Title
28 2 of the Government Code. If the statewide cost of the claim for
29 reimbursement does not exceed one million dollars (\$1,000,000),
30 reimbursement shall be made from the State Mandates Claims
31 Fund.